

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**LINDA HARRISON**

**V.**

**TRAVELERS HOME AND MARINE  
INSURANCE COMPANY,  
ROBERT LESSARD, LADDER NOW**

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**CIVIL ACTION NO. 4:16-CV-03504**

**DEFENDANT'S NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, The Travelers Home and Marine Insurance Company, a defendant in the above entitled and numbered cause, and files this its notice of removal, and in support thereof would respectfully show unto this Honorable Court as follows:

**I.  
STATE COURT ACTION**

This case was initially filed in the 11th Judicial District Court of Harris County, Texas. The state court action is styled: Cause No. 2016-70744; Linda Harrison v. The Travelers Home and Marine Insurance Company, Robert Lessard, Ladder Now, in the 11th Judicial District Court of Harris County, Texas.

**II.  
PARTIES**

The plaintiff, Linda Harrison, is, upon information and belief, an individual citizen and resident of Montgomery County, Texas.

The defendant, The Travelers Home and Marine Insurance Company ("Travelers"), is a Connecticut corporation with its principal place of business in the State of Connecticut.

The defendant, Robert Lessard ("Lessard"), is an individual resident and citizen of the State of Connecticut. Further, Lessard has been a resident and citizen of the State of Connecticut at all times between the April 19, 2015 claimed date of loss at issue in this lawsuit and the filing of this notice of removal.

The defendant, Ladder Now, is a Kentucky limited liability company with its principal place of business in the State of Kentucky. Further, all members of Ladder Now are residents and citizens of the State of Kentucky and no member of Ladder Now is a resident or citizen of the State of Texas.

### **III. JURISDICTION**

This Court has jurisdiction over the subject matter of this cause, pursuant to 28 U.S.C. § 1332, because this is a civil action in which the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and is between citizens of different states. Accordingly, this cause is removable pursuant to 28 U.S.C. § 1441 and § 1446.

### **IV. TIMELINESS**

Travelers was served with process and the plaintiff's original petition on November 2, 2016. Thirty days have not elapsed since Travelers was served with process. Accordingly, pursuant to 28 U.S.C. § 1446, this notice of removal is timely and proper.

### **V. ATTACHMENTS**

Pursuant to 28 U.S.C. § 1446(a), Local Rule 3, and Local Rule 81, the following exhibits are attached hereto and incorporated herein by reference for all purposes:

- a. Exhibit A: Civil action cover sheet;
- b. Exhibit B: Copies of all executed processes in the case, if any;
- c. Exhibit C: Copies of all pleadings asserting causes of action and all answers to such pleadings;
- d. Exhibit D: Copies of all orders signed by the state court judge, if any;
- e. Exhibit E: A copy of the state court docket sheet;
- f. Exhibit F: An index of matters being filed;
- g. Exhibit G: A list of all counsel of record, including addresses, telephone numbers, and parties represented;
- h. Exhibit H: Ladder Now's Consent to Removal; and
- i. Exhibit I: Robert Lessard's Consent to Removal.

#### **VI. CONDITIONS PRECEDENT**

The defendant has tendered the filing fee required by the Clerk of the United States District Court for the Southern District of Texas, Houston Division, along with this notice of removal. A copy of this notice of removal is also being filed in the 11th Judicial District Court of Harris County, Texas, and all counsel of record are being provided with complete copies.

#### **PRAYER**

WHEREFORE, PREMISES CONSIDERED, the defendant respectfully requests that the above action, styled: Cause No. 2016-70744; Linda Harrison vs. Travelers Home and Marine Insurance Company, Ladder Now, Robert Lessard, in the 11th Judicial District Court of Harris County, Texas, be removed to this Court.

Respectfully submitted,

ORGAIN BELL & TUCKER, LLP  
P O Box 1751  
Beaumont, TX 77704-1751  
(409) 838-6412  
(409) 838-6959 facsimile

/s/ Greg C. Wilkins

Greg C. Wilkins  
State Bar No. 00797669  
gcw@obt.com  
Warren B. Wise  
State Bar No. 24075299  
wwise@obt.com

ATTORNEYS FOR DEFENDANT,  
THE TRAVELERS HOME AND  
MARINE INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 28th day of November, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and also forwarded it to all known counsel of record by Certified Mail, Return Receipt Requested.

/s/ Greg C. Wilkins

Greg C. Wilkins